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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	NO. 19-CR-655-7 HSG
)	
Plaintiff,)	STIPULATION TO EXTEND BRIEFING
)	SCHEDULE REGARDING THE DEFENDANT'S
v.)	MOTION TO DISMISS AND MOTION TO
)	SUPPRESS AND ORDER
JUAN CARLOS GUZMAN,)	
a/k/a "Jose Rosa-Perez,")	
)	
Defendant.)	

It is hereby stipulated by and between counsel for the United States and counsel for the above-named defendant that the above-named defendant is given an additional week to file his replies to the United States' responses to the defendant's motion to suppress (Dkt. 192) and motion to dismiss (Dkt. 193).

On July 26, 2021, the defendant filed two motions: first, a motion to suppress evidence and a motion to dismiss the indictment. *See* Dkts. 192 and 193. The United States filed its responses to those motions on August 16, 2021. *See* Dkts. 202 (opposition to motion to dismiss) and 205 (opposition to suppression motion).

According to the previously-agreed upon briefing schedule, the defendant is required to file his

replies to the government's oppositions by this coming Monday, August 30, 2021. *See* Dkt. 182 (order setting briefing schedule based on parties' stipulation).

Due to recent plea negotiations and case developments, the parties believe it is appropriate to extend the defendant's deadline for filing his replies by one week, to September 6, 2021, and request that the Court order the defendant's reply deadline to be extended to this date. The parties note that a hearing has not yet been scheduled with regard to the pending motions, and believe that this short, one-week extension is best for the case and will save the parties' and the Court resources.¹

The parties will inform the Court on or before September 6, 2021, whether a hearing on the pending motions will be necessary, or whether another type of hearing should be set instead.

It is hereby stipulated by and between counsel for the United States and counsel for defendant Juan Carlos Guzmán that time be excluded under the Speedy Trial Act from July 26, 2021, through September 6, 2021, so that defense counsel can continue to prepare, including by assessing recent case developments. Additionally, the parties stipulate and agree that excluding time until September 6, 2021, will allow for the effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further stipulate and agree that the ends of justice served by excluding the time from July 26, 2021, through September 6, 2021, from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

The undersigned Assistant United States Attorney certifies that he has obtained approval from counsel for the defendant to file this stipulation and proposed order.

IT IS SO STIPULATED.

DATED: August 25, 2021

/s/
 RYAN REZAEI
 Assistant United States Attorney

DATED: August 25, 2021

/s/
 CHARLES WOODSON
 Counsel for Defendant

¹ The parties had requested that a hearing be set for September 13, 2021, but the parties failed to include that language in the proposed order. *See* Dkt. 182. The Court later adopted the parties' proposed order (which did not include any language regarding the hearing date). The parties are not requesting a hearing date at this time.

ORDER

Based upon the facts set forth in the stipulation of the parties and the representations made to the Court and for good cause shown, it is hereby ordered that the briefing schedule with regard to the defendant's pending motion is amended as follows:


With regard to the defendant's motion to dismiss the indictment (Dkt. 193) and motion to suppress (Dkt. 192) evidence, the defendant's replies to the government's oppositions are now due on or before: Monday, September 6, 2021.

The parties are ordered to inform the Court on or before September 6, 2021, whether the parties will be moving forward with a hearing on the pending motions or whether another type of hearing should be scheduled instead.

Furthermore, based upon the facts set forth in the stipulation of the parties and for good cause shown, the Court finds that failing to exclude the time from July 26, 2021, through September 6, 2021 would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from July 26, 2021, through September 6, 2021, from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from July 26, 2021, through September 6, 2021, shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

IT IS SO ORDERED.

DATED: 8/26/2021


HAYWOOD S. GILLIAM, JR.
United States District Judge